



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
UNITED STATES OF AMERICA
:
-v.-
:
PAUL PACHECO,
:
Defendant.
:
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ORDER OF FORFEITURE
S4 04 Cr. 219 (DAB)

WHEREAS, on or about April 18, 2005, PAUL PACHECO, (the "Defendant"), was charged in a two-count Information S4 04 Cr. 219 (DAB) (the "Information") with conspiring to distribute, and possess with intent to distribute, one kilogram and more of heroin, in violation of 21 U.S.C. § 846 (Count One) and conspiring to launder the proceeds of narcotics trafficking, in violation of 18 U.S.C. § 1956(h) (Count Two);

WHEREAS, the Information included a forfeiture allegation seeking, pursuant to 21 U.S.C. § 853, any and all property constituting or derived from any proceeds obtained directly or indirectly as a result of the offense in Count One of the Information, including but not limited to, a sum of money equal to at least \$1,750,000 in United States currency, representing the amount of proceeds obtained as a result of the narcotics distribution conspiracy charged in Count One of the Information, for which the members of the conspiracy are jointly and severally liable;

WHEREAS, the Information included a second forfeiture allegation seeking, pursuant to 18 U.S.C. § 982, all property, real and personal, involved in the money laundering offense and all property traceable to such property, including but not limited to, a sum of money equal to at least \$1,750,000 in United States currency, in that such sum in aggregate is property which was involved in the money laundering offense charged in Count Two of the Information, for which the members of the conspiracy are jointly and severally liable;

WHEREAS, on or about April 18, 2005, the defendant PAUL PACHECO pled guilty to Counts One and Two of the Information;

WHEREAS, pursuant to a plea agreement, the defendant admits the forfeiture allegations in the Information and agreed not to contest the forfeiture to the United States of, among other things, all of his right, title and interest to approximately \$52,000 in United States currency recovered from a vehicle driven by the defendant at the time of his arrest on April 19, 2004, and approximately \$333,990 in United States currency recovered from an apartment on Waverly Avenue in New Jersey on April 19, 2004, which had previously been forfeited administratively;

WHEREAS, on or about October 29, 2007, the defendant was sentenced, inter alia, to a forfeiture money judgment in the amount of \$1,750,000 in United States Currency, representing the

amount of proceeds obtained as a result of the offenses charged in the Information; and

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED THAT:

1. As a result of the offenses in the Information, for which PACHECO entered a plea of guilty, a money judgment in the amount of \$1,750,000.00 shall be entered against the defendant, such forfeiture obligation to be joint and several with any such obligations of the co-defendants.

2. The approximately \$52,000 in United States currency recovered from a vehicle driven by the defendant at the time of his arrest on April 19, 2004, and the approximately \$333,990 in United States currency recovered from an apartment on Waverly Avenue in New Jersey on April 19, 2004, which had previously been forfeited administratively, shall be credited to the Money Judgment, leaving a balance of \$1,364,010 to be paid on the Money Judgment.

3. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, this Order of Forfeiture shall be final as to the defendant, PAUL PACHECO, and shall be made part of the sentence of the defendant, and shall be included in the judgment of conviction therewith.

4. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, upon entry of this Order of Forfeiture the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of the property, including depositions, interrogatories, requests for production of documents and to issue subpoenas, pursuant to Rule 45 of the Federal Rules of Civil Procedure.

5. All payments on the outstanding Money Judgment shall be made by postal money order, bank or certified check, made payable, in this instance to the "United States Marshals Service," and delivered by mail to the United States Attorney's Office, Southern District of New York, Attn: Asset Forfeiture Unit, One St. Andrews Plaza, New York, New York 10007.

6. The Court shall retain jurisdiction to enforce this Order, and to amend it as necessary, pursuant to Fed. R. Crim. P. 32.2(e).

7. The Clerk of the Court shall forward three certified copies of this Order to Assistant United States

Attorney, Sharon Cohen Levin, One St. Andrew's Plaza, New York,
New York 10007.

Dated: New York, New York
October 29, 2007

SO ORDERED:



HONORABLE DEBORAH A. BATTS
UNITED STATES DISTRICT JUDGE